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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,610	01/10/2002	Robert Aarts	042933/305194	5419
826	7590	06/20/2007		
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			EXAMINER JEAN GILLES, JUDE	
			ART UNIT 2143	PAPER NUMBER
			MAIL DATE 06/20/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/041,610		AARTS ET AL.	
	Examiner		Art Unit	
	Jude J. Jean-Gilles		2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/10/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Action is in regards to the Reply received on 01/31/2007.

WITHDRAWN REJECTIONS

1. The grounds of rejection presented of the Final Office Action dated 07/03/2006 are not presented for review on appeal because they have been withdrawn by the Examiner. New prior art rejection is presented under 35 USC # 103 below.

Claim Rejections - 35 USC # 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-26** are rejected under 35 U.S.C. 103(a) as being unpatentable by Bickmore et al (hereinafter Bickmore), US Patent No. 6,857,102 B1, in view of Lemel et al (hereinafter Lemel), US Patent No. 7,170,486 B2.

Regarding independent **claim 1**, Bickmore teaches a method of accessing functionalities in hypermedia to be parsed and rendered by a user agent, the hypermedia including at least one element that has a predetermined attribute whereby a dynamically assignable keyboard shortcut for the user agent actuates a predetermined functionality associated with the at least one element (fig. 1 items 100, 110, and 112),

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the method comprising:

parsing the hypermedia (col. 10, lines 25-27);

collating data corresponding to the at least one element in the hypermedia that said predetermined attribute; and rendering a display of the collated data (fig. 1 items 100, 110, and 1112; column 8, lines 17-53, col. 28, lines 1-14).

It is important to note that in the System of Bickmore, the collating and display of the data is done using or generating an evaluation value that meets an evaluation criterion which represents the "predetermined attribute" of the invention. Further, the invention is using "dynamically assignable keyboard shortcut" to collate data corresponding to the at least one element in the hypermedia that support the predetermined attribute.

However, Bickmore does not specifically uses the keyboard shortcut in spite of the fact that Bickmore accomplishes the same functionalities.

In the same field of endeavor, Lemel discloses "a dedicated keyboard device 102 is utilized for browsing hyperlinked documents on the Internet 107 through a computerized system 100. According to a preferred embodiment of the invention, said dedicated device is a keyboard/keypad comprising sets of keys (or defined areas) specially designed and shaped to present abstract browsing tools to the user..."(see abstract, see column 3, lines 10-17). Applicants may argue that the dedicated keyboard device 102 is used in Lemel because of the fact that the system is designed for users having mental or physical limitations, but is obvious that this functionality is not exclusive to that end.

Accordingly, it would have been obvious for an ordinary skill in the art to combine the dynamically assignable keyboard shortcuts of Lemel with the method of accessing functionalities for parsing and rendering hypermedia documents of Bickmore, for the purpose of providing a method and apparatus for launching dedicated applications and for loading predefined documents utilizing a dedicated input device containing keyboard shortcuts to allow users easy access to web documents as stated by Lemel in column 2. By this rationale, claim 1 is rejected.

Regarding claims 2-26 the combination Bickmore-Lemel discloses:

2. (Original) A method according to claim 1 wherein the predetermined attribute comprises accesskey operability for assigning a particular control key for the user agent to the element (see Lemel; abstract, column 3, lines 10-17).
3. (Original) A method according to claim 2 including rendering the hypermedia, and operating a control of the user agent to render the collated data instead of the hypermedia (see Bickmore ; fig. 1 items 100, 110, and 112; column 8, lines 17-53, col. 28, lines 1-14).
4. (Currently Amended) A method according to claim 3 including making a selection from the collated data to select said predetermined functionality (see Bickmore ; fig. 1 items 100, 110, and 1112; column 8, lines 17-53, col. 28, lines 1-14).
5. (Original) A method according to claim 1 wherein the parsing and collating is performed by a browser (see Bickmore ; fig. 1 items 100, 110, and 1112; column 8, lines 17-53).

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6. (Original) A method according to claim 1 wherein the hypermedia comprises an XHTML document (see Bickmore ; fig. 1 items 100, 110, and 1112; column 8, lines 17-53, col. 7, lines 9-59).

7. (Currently Amended) A browser for a user agent for rendering hypermedia that includes at least one element that has a predetermined attribute whereby a dynamically assignable keyboard shortcut for the user agent actuates a predetermined functionality associated with the at least one element (see Bickmore ; fig. 1 items 100, 110, and 1112; column 8, lines 17-53, col. 28, lines 1-14), the browser including software to provide: parsing of the hypermedia (see Bickmore ; col. 10, lines 25-27); identifying data corresponding to the at least one elements in the hypermedia that have been assigned a keyboard shortcut using said predetermined attribute (see Lemel; abstract, column 3, lines 10-17); and rendering a display of the data(see Bickmore; fig. 1 items 100, 110, and 112; column 8, lines 17-53, col. 28, lines 1-14).

8. (Original) A browser according to claim 7 for use with XHTML (see rejection of claim 6).

9. (Original) A mobile device including a browser as claimed in claim 7(see rejection of claim 5).

10. (Original) A browser according to claim 7 wherein the predetermined attribute is an accesskey function.

11. (Currently Amended) A device for rendering hypermedia received from a remote server, the device including a processor for processing the hypermedia and a user

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interface including a display device and a keyboard with a plurality of keys operable in a first mode to enter associated alphanumeric data, and operable in a second mode to actuate respective keyboard shortcuts dynamically assigned thereto by elements in the hypermedia, and wherein;

the processor and the display device being operable in a first display configuration to display the hypermedia;

the processor being operable to identify elements that define predetermined keyboard shortcuts in the hypermedia, and form an options list containing data associated with the identified elements; and

the processor and the display device being operable in a second display configuration to display the options list. (see rejection of claims 1 and 7 above)

12. (Original) A device according to claim 11 wherein the data associated with the identified elements comprise links to other hypermedia locations, and the keyboard is operable in the second display configuration to select and actuate one of the links (see rejection of claims 1 and 7 above; and specifically see Bickmore; fig. 1 items 100, 110, and 112)

13. (Original) A device according to claim 11 wherein the keyboard is operable to switch between the first display configuration in which the hypermedia is displayed and the second configuration in which the options list is displayed (Bickmore; fig. 1 items 100, 110, and 112).

14. (Original) A device according to claim 11 wherein the display device is configured to scroll the displayed hypermedia in said first display configuration whereby the display

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can be scrolled through different scrolling positions, and the options list display for the second configuration is selectable independently of the scrolling position of the first display configuration (Bickmore; fig. 1 items 100, 110, and 112; also col. 27, lines 1-14).

15. (Original) A device according to claim 14 including a scrolling device to scroll the display of hypermedia in the first configuration (Bickmore; fig. 1 items 100, 110, and 112; also col. 27, lines 1-14).

16. (Original) A device according to claim 13 wherein the keys of the keyboard are operable with a relatively short key-press in the first mode and a relatively long key-press in the second mode (see Lemel; abstract, column 3, lines 10-17).

17. (Original) A device according to claim 11 wherein the elements have an accesskey keyboard shortcut function (see Lemel; abstract, column 3, lines 10-17; Bickmore; fig. 1 items 100, 110, and 112).

18. (Original) A device according to claim 17 wherein numbering associated with the accesskey keyboard shortcut function is hidden in the display of hypermedia in the first display configuration (see Lemel; abstract, column 3, lines 10-17; Bickmore; fig. 1 items 100, 110, and 112).

19. (Previously Presented) A computer readable medium storing computer executable code that when executed by a processor performs the steps of: parsing hypermedia; identifying data corresponding to elements that define predetermined keyboard shortcuts in the hypermedia; and rendering a display of the data (see rejection of claims 1).

20. (Previously Presented) A signal including a carrier that carries instructions in the

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form of computer executable code that when executed by a processor provides: parsing hypermedia;

identifying data corresponding to elements that define predetermined keyboard shortcuts in the hypermedia; and

rendering a display of the data (see rejection of claim 1).

21. (New) A method of collating and providing a display of mark up language elements embedded in hypermedia that is loaded by a browser and at least partly rendered in a display of a mobile device, comprising:

parsing, using a processor of the mobile device, mark-up code of the hypermedia;

identifying at least one mark up code element in the hypermedia having an accesskey attribute; and

rendering a list of the identified elements instead of the hypermedia in said display (see rejection of claim 1).

22. (New) A method of claim 21 further comprising rendering the hypermedia, and wherein the rendering of the display including a list of the identified elements, instead of the hypermedia is performed in response to the operation of a control of the mobile device (see rejection of claim 1).

23. (New) A method of claim 21 further comprising

making a selection of an identified element in the list to select a functionality associated with the accesskey attribute browser. (see Lemel; abstract, column 3, lines 10-17;

Bickmore; fig. 1 items 100, 110, and 112; col. 8; lines 17-30).

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24.

(New) A method of claim 21, wherein the parsing and the collating is done by the document.

25. (New) A method of claim 21, wherein the hypermedia comprises an XHTML

26. (New) A device comprising: a processor operable to run a browser; and a display operable to display at least part of hypermedia loaded by the browser; the processor further being operable to parse mark-up code of the hypermedia at least partly displayed in said display, identify at least one mark up code element in the hypermedia having been assigned an accesskey attribute and render a list including the identified elements for display, instead of the hypermedia, in said display (see rejection of claim 1, 7, and 11).

Conclusion

4. Applicant's argument made in an Appeal Brief Filed 01/31/2007 necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE NON-FINAL.**

Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.


Jude Jean-Gilles

Patent Examiner

Art Unit 2143

JJG

June 04, 2007


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